

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

IN RE BARD IVC FILTERS PRODUCTS
LIABILITY LITIGATION

MDL Case No. 2:15-MD-02641-DGC
Civil Case No. 2:19-cv-02919-DGC

**SECOND AMENDED MASTER SHORT
FORM COMPLAINT FOR DAMAGES FOR
INDIVIDUAL CLAIMS AND DEMAND
FOR JURY TRIAL**

FIRST AMENDED SHORT FORM COMPLAINT

Plaintiff(s) named below, for their Complaint against Defendants named below, incorporate the Master Complaint for Damages in MDL 2641 by reference (Doc. 364). Plaintiff(s) further show the Court as follows:

1. Plaintiff/Deceased Party:

Irene Baker

2. Spousal Plaintiff/Deceased Party's spouse or other party making loss of consortium claim:

Not Applicable

3. Other Plaintiff and capacity (i.e., administrator, executor, guardian, conservator):

Not Applicable

4. Plaintiffs/Deceased Party's state(s) [if more than one Plaintiff] of residence at the time of implant:

Illinois

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2 5. Plaintiffs/Deceased Party's state(s) [if more than one Plaintiff] of residence
3 at the time of injury:

4 Illinois
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6 6. Plaintiffs current state(s) [if more than one Plaintiff] of residence:

7 **[Utah]**
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9 7. District Court and Division in which venue would be proper absent direct filing:

10 U.S. District Court for the Northern District of Illinois, Easter Division
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12 8. Defendants (check Defendants against whom Complaint is made):
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- 14 C. R. Bard Inc.
15 **Bard Peripheral Vascular, Inc.]**
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17 9. Basis of Jurisdiction:
18

- 19 Diversity of Citizenship
20 Other: _____
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22 a. Other allegations of jurisdiction and venue not expressed in Master Complaint:
23

24 None
25

26 10. Defendants' Inferior Vena Cava Filter(s) about which Plaintiff(s) is making a claim (Check
27 applicable Inferior Vena Cava Filter(s)):
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- 18 Recovery® Vena Cava Filter
19 G2® Vena Cava Filter
20 G2® Express Vena Cava Filter
21 G2® X Vena Cava Filter
22 Eclipse® Vena Cava Filter
23 Meridian® Vena Cava Filter
24 Denali® Vena Cava Filter
25 Other: _____
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27 11. Date of Implantation as to each product:
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1 July 7, 2012
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3 12. Counts in the Master Complaint brought by Plaintiff(s):
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- 5 Count I: Strict Products Liability - Manufacturing Defect
6 Count II: Strict Products Liability - Information Defect (Failure to Warn)
7 Count III: Strict Products Liability - Design Defect
8 Count IV: Negligence - Design
9 Count V: Negligence - Manufacture
10 Count VI: Negligence - Failure to Recall/Retrofit
11 Count VII: Negligence -Failure to Warn
12 Count VIII: Negligent Misrepresentation
13 Count IX: Negligence *Per Se*
14 Count X: Breach of Express Warranty
15 Count XI: Breach of Implied Warranty
16 Count XII: Fraudulent Misrepresentation
17 Count XIII: Fraudulent Concealment
18 Count XIV: Violations of Applicable (Illinois) Law Prohibiting Consumer Fraud
19 and Unfair and Deceptive Trade Practices
20 Count XV: Loss of Consortium
21 Count XVI: Wrongful Death
22 Count XVII: Survival
23 Punitive Damages
24 Other(s): (please state the facts supporting this Count in the space immediately below)

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28 13. Jury Trial demanded for all issues so triable?

- 29 Yes
30 No

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4 RESPECTFULLY SUBMITTED this 3rd day of June, 2019.

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6 Respectfully submitted,

7 By: /s/Sally R. Bage
8 Sally R. Bage
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17 Fax (214) 357-7252

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19 I hereby certify that on this 3rd day of June, 2019, I electronically transmitted the attached
20 document to the Clerk's Office using the CM/ECF System for filing and transmittal of a Notice of
21 Electronic Filing.
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30 /s/Sally R. Bage
31 Sally R. Bage
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